IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 4159 of 2005

Between:

Gorrela Ramu, S/o. Late krishnanandam,
R/o. Indukuripeta, Devipatnam Mandal, E.G.District.

..... PETITIONER

AND

1 The District Collector and Agent to Govt., Rajahmundry, E.G.District.
2 The Addl. Agent to Governmet, Rampachodavaram, E.G.District.
3 The Mandal Revenue Officer, Devipatnam Mandal, E.G.District.
4 The Spl. Deputy Collector (T.W.), Rampachodavaram, E.G.District.
5 Govt of A.P., rep. by its Prl. Secretarya to Govt., Social Welfare (C.V.2) Department, A.P. Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or order of direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in trying to evict the petitioner from the land admeasuring 2.22 hectares situated in Survey No. 425 of Indukurr Village, Devipatnam Mandal, E.G.District as highly illegal, arbitrary and unjust.

Counsel for the Petitioner: MR.D.V.NAGARJUNA BABU

Counsel for the Respondents : GP FOR SOCIAL WELFARE

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in trying to evict the petitioner from the land admeasuring 2.22 hectares situated in Survey No.425 of Indukuru Village, Devipatnam Mandal, East Godavari District as illegal and arbitrary.

The 4th respondent-Special Deputy Collector (T.W.), Rampachodavaram initiated *suo motu* proceedings vide LTRP No.29 of 1999 and ordered eviction of the petitioner herein from the petition schedule land. An appeal was filed before the 2nd respondent-Additional Agent to Government, Rampachodavaram who confirmed the order of the 4th respondent. Challenging the same, a Revision Petition was filed by the petitioner herein before the Government. The petitioner cannot be permitted to prosecute two parallel proceedings.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

Without entering into the merits of the case, I consider it appropriate to direct the 5th respondent to pass appropriate orders in the stay application filed along with the Revision Petition by the writ petitioner, within a period of two weeks from the date of receipt of a copy of this order. Till then, *status-quo* obtained as on today shall be maintained.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

3rd March, 2005.

bcj

To

1 The District Collector and Agent to Govt., Rajahmundry, E.G.District.
2 The Addl. Agent to Governmet, Rampachodavaram, E.G.District.
3 The Mandal Revenue Officer, Devipatnam Mandal, E.G.District.
4 The Spl. Deputy Collector (T.W.), Rampachodavaram, E.G.District.
5 The Principal Secretary to Government, Govt of A.P., Social Welfare (C.V.2) Department, A.P. Secretariat, Hyderabad.

6 Two C.Cs. to the Government Pleader for Social Welfare, High Court Buildings, Hyderabad (OUT)

7 Two C.D. copies.